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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
LANGDON, EVAN H	

ART UNIT	PAPER NUMBER
3654	

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/029,125	LAKE ET AL.	
	Examiner	Art Unit	
	Evan H Langdon	3654	MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 May 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 7 and 22 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The definition of a web is a material that has a greater width dimension than a height dimension. It is not understood how a rope or a tubing fits this definition.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-6, 8, 11-13, 16, and 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by McDonald et al (U.S. Patent No. 4,034,928).

McDonald et al discloses a continuous rolled web product comprising a core 88 (Figs. 7, 8) having an outer surface and web 40 having a first end and a second end wrapped around the core. The second end of the web is positioned on the outer circumferential surface of the roll.

The inner (first) end of the outer most bag forming the web 40 is seen to be adjacent the outer surface of the core. In addition, the web 40 on the roll taken as a whole extends from the surface of the core to the outer surface of the roll. Since the web 40 is folded, the web is positioned in a first direction and a second opposite direction in alternating sequence.

With regard to claims 4, 11, and 19, the roll of McDonald et al could be formed by a process involving oscillating revolutions of a core, so it is seen to be the same as the claimed product. A tail is formed in each revolution of the core, a revolution being defined as the angular displacement between reversals in direction of the web

With regard to claims 5, 6, 12, 13, 20, and 21, the location of the overlap formed by the tail upon the outer circumferential surface of the roll inherently changes for each oscillating period of the roll (i.e., at least once during winding of the roll) since the tail overlaps are progressively located radially outward.

The roll of McDonald et al is seen to be identical to the product recited in claim 16, 19, and 22 since it could be formed by the process recited in those claims.

Claims 1-5, 7-12 and 14-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Rice (US 1,677,497).

In regards to claims 1 and 8, Rice discloses a rolled web product, comprising:

a core or collapsible airshaft having an outer surface;

a web wrapped around the core, the web having a first end and a second end and formed from a continuous endless component between the first end and the second end, the first end of the web being positioned adjacent the outer surface of the core at the start of the winding process, and the second end of the web being positioned on the outer circumferential surface of the roll;

where the web is positioned upon the outer surface of the core in a manner whereby the web is positioned in a first direction along the core, and also in a second and opposite direction,

in alternating sequence as the web is wound on by a traverse, from the first end of the web to the second end of the web.

With respect to claim 16, the process described in this claim would inherently result product of Rice, as seen in Figure 1 and as advanced above.

In regards to claims to claims 2, 3, 9, 10, 17 and 18 Rice discloses the web wrapped in the first direction on the core between 1 and 3 revolutions of the core, as can be seen in Figure 1 by counting the helical wraps.

In regards to claims 4, 5, 11, 12, 19 and 20, Rice discloses a pattern resulting from oscillating revolutions in which a tail is formed at either end of the core corresponding to a direction change of the traverse along the core.

In regards to claims 7, and 22, Rice shows the rolled web product as twine.

In regards to claims 13 and 14, Rice discloses 14. a stacked roll assembly defined as the first roll, with a second rolled product, as seen in Figure 1, the stacked roll assembly having:

the first roll has a first end adjacent the first core, and a second end adjacent the outer circumferential surface of the first roll, the second roll has a first end adjacent the second core, and a second end adjacent the outer circumferential surface of the second roll, and the first end of the first roll is mated with the second end of the second roll, such that when the first roll is exhausted, the web is adapted to continue to feed from the second roll.

Claims 1-5, 7-12 and 16-22 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Connor (US 4,568,033)).

In regards to claims 1 and 8, O'Connor discloses a rolled web product, comprising:

a core or collapsible airshaft having an outer surface;

a web wrapped around the core, the web having a first end and a second end and formed from a continuous endless component between the first end and the second end, the first end of the web being positioned adjacent the outer surface of the core at the start of the winding process, and the second end of the web being positioned on the outer circumferential surface of the roll;

where the web is positioned upon the outer surface of the core in a manner whereby the web is positioned in a first direction along the core, and also in a second and opposite direction, in alternating sequence as the web is wound on by a traverse, from the first end of the web to the second end of the web.

With respect to claim 16, the process described in this claim would inherently result product of O'Connor, as seen in Figures 3-5 and as advanced above.

In regards to claims to claims 2, 3, 9, 10, 17 and 18 O'Connor discloses the web wrapped in the first direction on the core between 1 and 3 revolutions of the core, as can be seen in Figures 3-5 by counting the helical wraps.

In regards to claims 4, 5, 11, 12, 19 and 20, O'Connor discloses a pattern resulting from oscillating revolutions in which a tail is formed at either end of the core corresponding to a direction change of the traverse along the core.

In regards to claims 7, and 22, O'Connor shows the rolled web product as tape.

Claims 1-13 and 16-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldsmith (2,082,489).

In regards to claims 1 and 8, Goldsmith discloses a rolled web product, comprising:

a core or collapsible airshaft having an outer surface;

a web wrapped around the core, the web having a first end and a second end and formed from a continuous endless component between the first end and the second end, the first end of the web being positioned adjacent the outer surface of the core at the start of the winding process, and the second end of the web being positioned on the outer circumferential surface of the roll;

where the web is positioned upon the outer surface of the core in a manner whereby the web is positioned in a first direction along the core, and also in a second and opposite direction, in alternating sequence as the web is wound on by a traverse, from the first end of the web to the second end of the web.

With respect to claim 16, the process described in this claim would inherently result product of Goldsmith, as seen in Figure 1 and as advanced above.

In regards to claims to claims 2, 3, 9, 10, 17 and 18 Goldsmith discloses the web wrapped in the first direction on the core between 1 and 3 revolutions of the core, as can be seen in Figures 4 and 5 by counting the helical wraps.

In regards to claims 4, 5, 11, 12, 19 and 20, Goldsmith discloses a pattern resulting from oscillating revolutions in which a tail is formed at either end of the core corresponding to a direction change of the traverse along the core.

In regards to claims 6 and 13, Goldsmith discloses the tail overlap on the periphery of the roll is different for each oscillating period (40,42,44,46).

In regards to claims 7, and 22, Rice shows the rolled web product as ribbons, tapes, bindings and narrow fabrics.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 3, 7, 9, 10, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald et al.

McDonald et al discloses a rolled web product comprising a core or collapsible airshaft 88 (Figs. 7, 8) having an outer surface and a web 40 having a first end and a second end wrapped around the core. The second end of the web is positioned on the outer circumferential surface of the roll.

The inner (first) end of the outer most bag forming the web 40 is seen to be adjacent the outer surface of the core. In addition, the web 40 on the roll taken as a whole extends from the surface of the core to the outer surface of the roll. Since the web 40 is folded, the web is positioned in a first direction and a second opposite direction in alternating sequence.

McDonald et al does not disclose that the web is wrapped in a first direction upon the core between about 1 and about 3 revolutions or between about 370 and about 720 degrees.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to wind the web 1 to 3 revolutions or 370 to 720 degrees in one direction

since it is clear from the disclosure of McDonald et al that a satisfactory package can be produced using any desired size of bag and amount of overlap. Note col. 7, lines 21-39.

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald et al in view of Ball (U.S. Patent No. 5,310,056).

McDonald et al discloses a rolled web product comprising a core or collapsible airshaft 88 (Figs. 7, 8) having an outer surface and a web 40 having a first end and a second end wrapped around the core. The second end of the web is positioned on the outer circumferential surface of the roll.

The inner (first) end of the outer most bag forming the web 40 is seen to be adjacent the outer surface of the core. In addition, the web 40 on the roll taken as a whole extends from the surface of the core to the outer surface of the roll. Since the web 40 is folded, the web is positioned in a first direction and a second opposite direction in alternating sequence.

McDonald et al does not disclose a stacked roll assembly or first and second rolls containing connected web.

Ball teaches winding web on a plurality of rolls with a first end of the web on one roll connected to a second end of web on another roll.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to wind the web of McDonald et al in a plurality of connected rolls as taught by Ball to provide a large supply of connected web while providing greater web roll stability than a single large roll of web.

Claims 6 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Rice.

It is well known in the art of winding to very the end point, or traversing point, on a core of wound web so as not to build up the ends and for a lop-sided roll.

Response to Amendment

Applicant's arguments filed on 28 May 2004 have been fully considered but are not persuasive with respect to claims 1-22. McDonald teaches that a primary objective of the invention is to assemble the sheets, strips or bags into assemblies on a continuous basis. The manner in which the product is folded forms a continuous web. The material is rendered virtually infinite in the longitudinal dimension by splicing together the plurality of bags by folding.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ehl

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